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FACSIMILE TRANSMITTAL FORM

Group Art Unit 3734
TO: Examiner Kevin Thao Truong

DATE: January 17, 2007

COMPANY: United States Patent and Trademark Office

FACSIMILE NO.: 571-273-8300

FROM: Richard J. Godlewski

NO. OF PAGES 5
(including this cover sheet).

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In Re Application of: David Ernest Hartley

Customer No.: 9896

Atty. Docket No.: PA-5341-RFB

Serial No.: 10/645,095

Group Art Unit: 3734

Filed: August 21, 2003

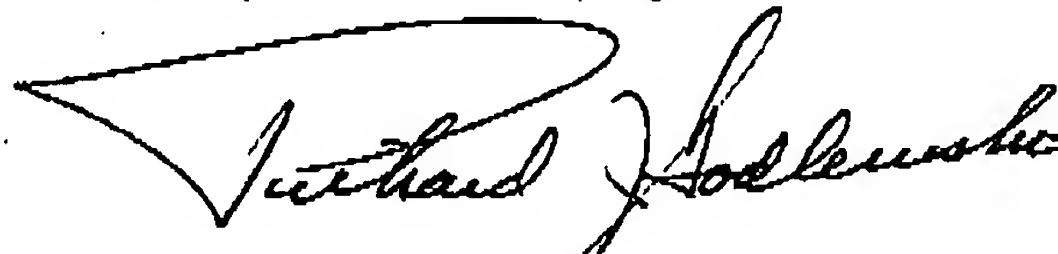
Examiner: Kevin Thao Truong

Title: COMPOSITE PROSTHESIS

Please enter and make of record the enclosed amendment to application Serial No. 10/645,095. The following documents are enclosed with this transmission:

Transmittal letter (2 pages)

Response to Election / Restriction Requirement (2 pages)



Richard J. Godlewski
Registration No. 30,056
812-330-1824

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PAGE 2/5 * RCVD AT 1/17/2007 1:47:45 PM [Eastern Standard Time] * SVR:USPTO-FXRF-1/12 * DNS:2738300 * CSID:8123309049 * DURATION (mm-ss):01:42

Serial No. 10/645,095

PATENT

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(Typed or printed name of person signing certification)

January 17, 2007

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Pamm Garwood

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: David Ernest Hartley

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MAIL STOP AMENDMENT
COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313

TRANSMITTAL OF RESPONSE TO ELECTION / RESTRICTION REQUIREMENT

SIR:

Please make of record the following papers relating to the above-identified application:

Response to Election / Restriction Requirement (2 pages)

FEE FOR CLAIMS

	Claims Remaining After Amendment	Highest Number Previously Paid For	No. Extra	Rate	Calculations
Total No. of Claims	5	20	= 0	x \$ 50 =	\$ 0.00
Independent Claims	1	4	=	x \$200 =	\$ 0.00
Multiple Dependent Claim(s), if applicable				+ \$360 =	N/A
				TOTAL FEE:	\$ 0.00

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PATENT

Serial No. 10/645,095

No additional fee is due at this time. In the event of improper payment of a required fee, the Commissioner is authorized to charge or to credit Deposit Account No. 13-2528 as required to correct the error.

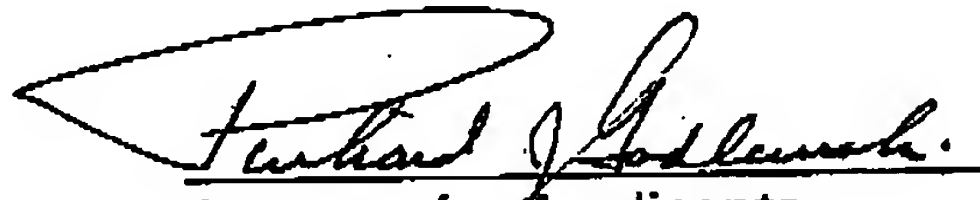
Please address all correspondence to:

Richard J. Godlewski
Patent Attorney
P.O. Box 2269
Bloomington, IN 47402-2269
812-330-1824

Respectfully,

Date:

Jan 17, 2007



Attorney for Applicants
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<u>January 17, 2007</u> Date	<u>Pamm Gerwood</u> (Typed or printed name of person signing certification) <u>[Signature]</u> Signature

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COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313

SIR:

RESPONSE TO ELECTION RESTRICTION REQUIREMENT AND AMENDMENT

This is in response to the Office Action dated December 26, 2006, in which claims 1-20 are pending and were subject to restriction and/or election requirement. Applicants traverse such restriction requirement and provisionally elect claims 11 to 15, which are drawn to a Composite Prosthesis.

Applicants elect the species disclosed in Figures 7 and 8. Claims 11 to 15 read on Figures 7 and 8.

We submit that contrary to the Examiner assertion Figures 7 and 8 illustrate the same invention. The invention is that a composite prosthesis can be connected with either the joining end of one portion inside or outside of the joining end of other portion.

Figure 7 illustrates the distal portion outside and Figure 8 illustrates the distal portion inside.

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Serial No. 10/645,095

The examination and consideration of this application is respectfully requested, and it is further requested that the application be passed to issue.

Although the foregoing discussion is believed to be dispositive of the issues in this case, applicants' attorney requests a telephone interview with the Examiner to further discuss any unresolved issues remaining after the Examiner's consideration of this amendment.

Respectfully submitted,

David Ernest Hartley

Date:

Jan 17, 2007

By:



Richard J. Godlewski, Attorney

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